UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
JOO, JOSHUA

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 06/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/033,146	CHEN ET AL.
	Examiner	Art Unit	
	Joshua Joo	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _5/12/2006_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-55 and 58-67_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-55 and 58-67_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _5/12/2006_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment filed 5/12/2006

1.   Claims 1-55, 58-67 are presented for examination.

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted 5/12/2006 is in compliance with

the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being

considered by the examiner.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-6, 8-14, 16, 17, 19-31, 33-42, 44-53, 55, and 58-66 are rejected under 35

U.S.C. 103(a) as being unpatentable over Delph, US Patent #6,199,104 (Delph hereinafter), in

view of Chong et al, US Publication #2002/0144233 (Chong hereinafter).

5.   As per claims 1, 16, 20, 23, 33, 34, 44, 45, 55, and 58, Delph teaches substantially the

invention as claimed including the method and system for pushing messages to a client

computer, wherein the messages are first pushed through an intermediate server, Delph's

teachings comprising:

a processor (Col 3, lines 64. Computer.);

memory, the memory storing instructions for executing on the processor (Col 4, lines 48-

49. Computer has memory to store host data.);

controlling instructions to control a user interface presented by a web browser

comprising (Col 4, lines 6-13. Intermediate server sends information that will allow receiver

computer to render its screen.):

registering instructions to register the web browser as available to receive an message,

wherein the web browser is not blocked waiting for the message (Col 6, lines 1-10, 49-65; Col 7,

lines 8-11. Registers for receiver computer to receive message.); and

push instructions to cause a web server to push message to the web browser (Col 5,

lines 14-25; Col 6, lines 1-10. Push data to the web browser.) in response to an incoming data

(Col 5, lines 4-16. Intermediate server receives data.);

wherein the web browser presents a user interface change in response to the message

(Col 4, lines 9-12, 65-67. The web browser is rendered in response to the message. Render

web page.);

the incoming data is received by a communication server (Fig. 2 #150, Col 6, line 45-48.

Intermediate server 50 receives data.); and

wherein the computer-readable medium further stores the user interface changing

instructions (Col 4, lines 47-50. Host computer has memory to store data.).

6.   Delph teaches substantial features of the claimed invention including pushing data in

response to incoming data. However, Delph does not teach of pushing asynchronous

messages, and pushing data in response to receiving incoming events.

7.   Chong teaches the concept of receiving events, and in response to the events, pushing

asynchronous messages (Paragraph 0007).

8.   It would have been obvious to one of ordinary skill in the art at the time the invention was

made to combine the teachings of Delph and Chong because the teachings of Chong to receive

events, and to push asynchronous messages in response to the events would improve the

system of Delph by allowing clients to receive real-time data in alerts (Chong, Paragraph 0007),

and implementing a communication server would allow events to be forwarded to another

server, which is similar to the process of receiving and forwarding data as taught by Delph (Col

6, line 45-48).

9.   As per claim 19, Delph teaches substantially the invention as claimed including a

method for pushing messages to a client computer, wherein the messages are first pushed

through an intermediate server, Delph's teachings comprising:

        establishing a first connection between a web browser and a web server (Fig. 1 #6, Col

4, lines 4-9. Web browser connects to the intermediate server.);

        establishing a second connection between the web server and a business process

server (Fig. 1 #1A, Col 4, lines 4-9. Host computer connects to the intermediate server.);

        controlling a user interface presented by the web browser comprising:

        registering the web browser with the business process server (Col 6, lines 49-56; Col 7,

lines 12-15. Client contacts salesperson to receive information through a computer network.

Bank teller may provide account information to a client. Registration is an essential step to

receive the service.);

        providing the web server with a message to push to the web browser, the providing

being performed by the business process server (Col 5, lines 14-15; Col 6, lines 7-8, 36-65.

Host computer submits data to push to the web browser.), the providing being performed in

response to an incoming data (Col 5, lines 4-16. Host computer contacts and sends data to the

intermediate server.);

causing the web server to push the message to the web browser (Col 5, lines 14-15; 23-25; Col 6, lines 1-10, 36-48. Data is sent to the intermediate server, wherein the intermediate server push data to the web browser. Data is continuously transmitted.);

wherein the web browser performs a user interface change in response to the message (Col 4, lines 9-12, 65-67. Causes a change in response due to the message. Render web page.); and

the incoming data is received by a communication server (Fig. 2 #150, Col 6, line 45-48. Intermediate server 50 receives data.).

10.   Delph teaches substantial features of the claimed invention. However, Delph does not teach of pushing asynchronous messages, and pushing data in response to receiving incoming events.

11.   Chong teaches the concept of receiving events, and in response to the events, pushing asynchronous messages (Paragraph 0007).

12.   Motivation for combination is similar to rejection of claim 1. See paragraph 8.

13.   As per claim 21, Delph teaches substantially the invention as claimed including a method for pushing asynchronous messages to a client computer, wherein the messages are first send through an intermediate server, Delph's teachings comprising:

causing the web browser to provide a wait request to a web server, the wait request being associated with the web browser (Col 4, lines 4-5; Col 6, lines 53-55; Col 7, lines 15-25. Web browser provides a request to the intermediate server for information. Client receives information such as stock or email for later view.);

identifying a source of the message (Col 5, lines 6-11; Col 6, lines 53-55. Host computer sends a set-up request to the intermediate server, and in response, the intermediate server sends a set-up confirmation output.);

associating the wait request with the source, wherein the associating identifies the web browser as a recipient of the message (Col 4, lines 4-5; Col 6, lines 7-8, 36-37, 63-65. Client requests information and the host computer sends data to the web browser.); and

pushing the message to the web browser (Col 6, lines 1-10. Push data to the web browser.) in response to incoming data (Col 5, lines 4-16. Host computer contacts and sends data to the intermediate server.);

wherein the browser presents a user interface change in response to the message (Col 4, lines 8-10, 65-67; Col 7, lines 15-17. A display is rendered on the host computer. Render web page.); and

the incoming data is received by a communication server (Fig. 2 #150, Col 6, line 45-48. Intermediate server 50 receives data.).

14.   Delph teaches substantial features of the claimed invention. However, Delph does not teach of pushing asynchronous messages, and pushing data in response to receiving incoming events.

15.   Chong teaches the concept of receiving events, and in response to the events, pushing asynchronous messages (Paragraph 0007).

16.   Motivation for combination is similar to the rejection of claim 1. See paragraph 8.

17.   As per claim 22, Delph teaches substantially the invention as claimed including a method for pushing messages to a client computer wherein the messages are first send through an intermediate server, Delph's teachings comprising:

causing the web browser to provide a wait request to a web server, wherein the wait request is associated with the web browser and a target from which a message originates (Col 4, lines 4-5; Col 5, lines 14-15; Col 6, lines 53-55. Web browser provides a request to the intermediate server for information. Client contacts a salesperson for information through a computer network. Hot computer submits host data.);

generating the message, the message identifying the web browser as a recipient of the message, the generating being performed by the target (Col 5, lines 14-15; Col 6, lines 36-37; Col 53-55. Host computer submits host data to the intermediate server.) ;

providing the message to the web server (Col 5, lines 14-15; Col 6, lines 36-37. Host computer submits information to the intermediate server.); and

causing the web server to push message to the web browser (Col 5, lines 14-25; Col 6, lines 1-10. The intermediate server push data to the web browser.) in response to incoming data (Col 5, lines 4-16. Host computer contacts and sends data to the intermediate server.);

wherein the web browser presents a user interface change in response to the message (Col 4, lines 9-12, 65-67. Causes rendering in response to the data. Render web page.); and

the incoming event is received by a communication server (Fig. 2 #150, Col 6, line 45-48. Intermediate server 50 receives data.).

18.   Delph teaches substantial features of the claimed invention. However, Delph does not teach of pushing asynchronous messages, and pushing data in response to receiving incoming events.

19.   Chong teaches the concept of receiving events, and in response to the events, pushing

asynchronous messages (Paragraph 0007).

20.   Motivation for combination is similar to the rejection of claim 1. See paragraph 8.

21.   As per claim 2, Delph teaches the method of claim 1 further comprising: generating the

message (Col 5, lines 14-15; Col 6, lines 36-37. Host computer submits information to be sent

to the receiver computer.).

22.   As per claim 3, Delph teaches the method of claim 1 further comprising: preparing to

receive the asynchronous message (Col 6, lines 7-8; 36-38. Receiver computer receives the

message.).

23.   As per claims 4, 5, 24, 35, 46, and 59, Delph teaches the invention comprising:

        providing instructions to cause the web browser to provide a wait request to the web

server, the wait request being associated with the web browser (Col 4, lines 4-5; Col 5, lines 14-

15; Col 6, lines 53-55. Web browser provides a request to the intermediate server for

information. Host computer submits host data);

        identifying instructions to identify a source of the message (Col 5, lines 6-12; Col 6, lines

53-55. Client contacts host computer through a computer network. Intermediate server

establishes a session with the host computer.); and

        associating instructions to associate the wait request with the source, wherein the

associating identifies the web browser as a recipient of the message (Col 4, lines 4-5; Col 6,

lines 7-8; 36-37; 63-65. Client requests information, and the host computer sends message to

the web browser.).

24.   As per claims 6, 25, 36, 47, and 60, Delph teaches the invention comprising:

        request providing instructions to cause the web browser to provide a wait request to the

web server, the wait request being associated with the web browser (Col 4, lines 4-5; Col 5,

lines 14-15; Col 6, lines 53-55. Web browser provides a request to the intermediate server for

information. Hot computer submits host data);

        generating instructions to generate the message, the message identifying the wait

request, wherein the identifying identifies the web browser as a recipient of the message (Col 5,

lines 14-15; Col 6, lines 1-10. Host computer submits host data to intermediate server for

transmission to the web browser.); and

        message providing instructions to provide the message to the web server (Col 5, lines

14-15; Col 6, lines 47-48, 49-51. Client contacts host computer. Host computer provides

asynchronous message to the server.).

25.   As per claims 8, 26, 37, 48, and 61, Delph teaches the invention comprising:

        storing instructions to store a reference to a callback function with information from the

wait request (Col 6, lines 50-56, 64-65; Col 7, lines 13-19. Client contacts host computer,

which allows for the host computer to send data to the intermediate server. Bank teller may

provide account information to a customer. Broker may provide specific stock information.); and

        using instructions to use the reference to call the callback function when the message is

provided to the web server, wherein the callback function pushes the message (Col 6, lines 7-8,

50-56, 64-65; Col 7, lines 13-15. Client contacts host computer, which allows for the host

computer to send data to the intermediate server. Data is pushed to the client. Bank teller may

provide account information to a customer.).

26.   As per claims 9, 27, 38, 49, and 62, Delph teaches the invention comprising: context

providing instructions to provide the callback function with context information, the context

information identifying the web browser (Col 6, lines 49-65. Client provides information to the

travel agent through a computer network, so that for the travel agent can provide information

presentable to the web browser of the client.).

27.   As per claims 10, 11, 28, 39, 50, and 63, Delph teaches the invention comprising:

        assigning instructions to assign the wait request to a connection between the web server

and a business process server (Col 4, lines 4-6; Col 5, lines 4-15. Client sends a request to an

intermediate server, where intermediate server is connected to the host computer.); and

        listening instructions to listen to the connection for the message (Col 5, lines 4-15; Col 6,

lines 36-37. The intermediate server waits for a session from host computer.).

28.   As per claims 12, 29, 40, 51, and 64, Delph teaches the invention comprising: calling

instructions to call a callback function associated with the web browser when the message is

received, wherein the callback function pushes the message; and

(Col 5, lines 23-25; Col 6, lines 1-10, 36-48; Col 7, lines 11-26. Client submits contact

information to host computer, so that the intermediate server may push information to the

client's web browser when received from the host computer.).

29.   As per claims 13, 30, 41, 52, and 65, Delph teaches the invention comprising:

        reference storing instructions to store a reference to the callback function (Col 6, lines

50-56, 64-65; Col 7, lines 13-15. Client contacts host computer through a computer network,

which allows for the host computer to send data to the intermediate server. Bank teller may provide account information to a customer.) and

reference using instructions to use the reference for calling the callback function (Col 6, lines 50-56, 64-65; Col 7, lines 13-15. Client contacts host computer, which allows for the host computer to send data to the intermediate server. Bank teller may provide account information to a customer.);

30.   As per claims 14, 31, 42, 53, and 66, Delph teaches the invention comprising:

context storing instruction to store a second reference to context information, the context information identifying the web browser (Col 6, lines 50-65; Col 7, lines 13-15. Client contacts host computer through a computer network, which allows for the host computer to send data to the intermediate server. Bank teller may provide account information to a customer.) and

context using instructions to use the second reference for providing the context information to the callback function (Col 6, lines 50-56, 64-65; Col 7, lines 13-15. Client contacts host computer, which allows for the host computer to send data to the intermediate server. Bank teller may provide account information to a customer.).

31.   As per claim 17, Delph teaches the method of claim 16, wherein the message includes an action instruction to cause the web browser to perform the action (Col 4, lines 8-13; Col 6, lines 36-37. The message allows the receiver computer to render a screen.).

32.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Delph and Chong, in view of Landsman et al, US Patent #6,314,451 (Landsman hereinafter).

33.   As per claim 7, Delph does not teach the method of claim 6, wherein causing the web

browser to provide the wait request comprises: downloading requesting instructions to the web

browser, wherein downloading causes the web browser to execute the requesting instructions.

34.   Landsman teaches of asynchronous sending of advertisements to a client computer.

When the client browser encounters a web page with advertisement, the browser contacts the

agent server to ensure that the executable code for the applet is updated. The browser

downloads updated files and executes the applet. The web browser blocks from downloading

any advertisement until the applet is executing (Col 23, lines 18-34; Col 32, lines 53-55; Col 39,

lines 3-12).

35.   It would have been obvious to one of ordinary skill in the art at the time the invention was

made to combine the teachings of Delph, Chong, and Landsman because since Delph teaches

that the client does not need any compatible software programs other than a web browser to

receive the data (Col 7, lines 6-8), it would have been desirable to download and executes

applets for the web browser. The teachings of Landsman of downloading and executing applets

would improve the system of Delph and Chong by allowing the client to receive information and

to display the information on the client's web browser.

36.   Claims 15, 18, 32, 43, 54, and 67 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Delph and Chong, view of Boyle et al, US Patent #6,138,158 (Boyle

hereinafter).

37.   As per claims 15, 18, 32, 43, 54, and 67, Delph teaches of receiving information from a

server and rendering the browser to the received information (Col 4, lines 8-13). However,

Delph does not teach of causing a second user interface object to issue a sound to capture the

user's attention and presenting a screen pop of data; and bringing a web browser window to a front of screen.

38.   Boyle teaches of pushing data to mobile devices where upon receiving message, the device produces a sound to capture the user's attention and a notification is prompted to the screen, the display coded HDML, similar to HTML (Col 6, lines 5-6; Col 10, lines 59-61; Col 11, lines 2-14).

39.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Delph, Chong, and Boyle because since Delph teaches of rendering the display screen of the client when information is received, it would have been desirable to produce a sound and prompt the web browser to the screen to capture the client's attention. The teachings of Boyle to produce a sound and display a notification on the screen would improve the system of Delph and Chong by providing an alternative method to make the user aware of incoming messages.

Response to Arguments

40.   Applicant's arguments filed 5/12/2006 have been fully considered but they are not persuasive. Applicant argued that (1) The synchronization of data between the host computer and receiver computer is irrelevant to the claimed subject matter; and (2) In the absence of an outstanding request by the receiver computer, new data send to the intermediate server by the host computer will not be sent to the receiver computer. Therefore, Delph does not teach pushing an asynchronous message.

Examiner traverses the arguments:

41.   As to point (1), Examiner respectfully submits that the relevance of the synchronization

of data between the host computer and receiver computer is to provide a response to

Applicant's previous argument that asynchronous data and synchronous data in Delph do not

refer to the type of messages.

42.   As to point (2), Delph teaches:

    i)   Column 5, line 65 – Column 6, line 10, "At step 6, receiver computer 90 contacts
                 intermediate server 50 through Internet 40 using a single URL and provides intermediate
                 server 50 with session certification information in this URL to retrieve the translated host
                 data saved in local storage device. On receiving a request for this information,
                 intermediate server 50 sends the translated host data... Using a server push technique
                 allows a Web browser on receiver computer 90 to continuously receive data in the Web's
                 HTTP protocol without having to repeat step 6."

43.   According to Delph, data is continuously sent to the receiver without having to repeat

step 6, which is to request data by the web browser. Therefore, this process represents

"pushing" since no subsequent requests are required by the receiver computer to receive data.

Without subsequent requests, the data is automatically sent to the receiver computer.

44.   Furthermore, Applicant argued that data is not pushed if the receiver requests the data.

However, Applicant's specification discloses that a request is send by the web browser to the

web server to initiate the pushing of data. Applicant specification discloses:

    ii)   Page 6, lines 19-25, "... causing the web browser to provide a wait request to a web
                 server, the wait request being associated with the web browser. The method further
                 includes identifying a source of an asynchronous message and associating the wait
                 request with the source, wherein the associating identifies the web browser as a recipient
                 of the asynchronous message. The method further includes pushing the asynchronous
                 message to the web browser."

    iii)   On page 11, lines 17-23, "In Set Up communication Connections step 310,
                 communication continues are established between the web browser, web server, and a
                 business process server that is responsible for determining that an asynchronous
                 message should be pushed to the web browser."

45.   According to the above quoted sections (ii) and (iii) of Applicant's specification, a request

is sent by the web browser to establish communication with the web browser for pushing data to

the web browser. Applicant argued that according to Delph, no data is pushed to a receiver

computer without receiving a request. In a similar manner, according to Applicant specification,

without providing a HTTP request, there is no association between the web browser and the

source to push the asynchronous message. (Also see claims 4 and 22).

Conclusion

46.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant

is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

47.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

48.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can

normally be reached on Monday to Friday 7 to 4.

49.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John A. Follansbee can be reached on 571 272-3964. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

50.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 30, 2006
JJ

JOHN FOLLANSBEE
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